



Patent
Attorney's Docket No. 026575-065

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

)

Yousuke MORIUCHI et al.

) Group Art Unit: 3731

Application No.: 10/044,969

) Examiner: B. Pantuck

Filed: January 15, 2002

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) Confirmation No.: 2991

For: STENT

MAR 30 2004

)

TECHNOLOGY CENTER R3700

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents

P. O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Official Action dated December 29, 2003, the following remarks are submitted.

The Official Action indicates that the claims in this application are directed to two different species. As identified in the Official Action, the two species are as follows.

Species I illustrated in Fig. 1.

Species II shown in Fig. 4.

Based on the observation that the two species are patentably distinct from one another, an election of species requirement has been imposed requiring an election of one of the two species.

In response to the election of species requirement, applicants hereby elect, with traverse, Species I illustrated in Fig. 1. Claims 1-7 are readable on the elected species.

The election of Species I is made with traverse because it is believed that all of the claims of this application can be examined at the same time without serious burden. In one respect, the search required for the non-elected species would be substantially coextensive with the search associated with the elected species. In addition, examining all of the claims of this application at the same time would only involve consideration of a few additional claims.

In light of the foregoing, withdrawal of the election of species requirement and examination of all of the claims of this application, including Claims 1-7 directed to the elected species, are respectfully requested.

Should any questions arise in connection with this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: March 26, 2004

By: Matthew L. Schneider
Matthew L. Schneider
Registration No. 32,814

P. O. Box 1404
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Application No.: 10/044,969

Filing Date: January 15, 2002

Title: STENT

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Examiner: B. Pantuck

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AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- A Petition for Extension of Time is also enclosed.
- Terminal Disclaimer(s) and the \$55.00 (2814) \$110.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.
- Also enclosed is/are _____

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- Small entity status is hereby claimed.
- Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the \$385.00 (2801) \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents-identified above.
- Applicant(s) previously submitted _____
on _____, for which continued examination is requested.
- Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

No additional claim fee is required.
 An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	15	MINUS 20 =	0	x \$18.00 (1202) =	\$ 0.00
Independent Claims	2	MINUS 3 =	0	x \$86.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$290.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

A check in the amount of _____ is enclosed for the fee due.
 Charge _____ to Deposit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: March 26, 2004

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